

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: By **CHAIRMAN VICKI COCCHIARELLA**, on February 14, 2007 at 9:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Vicki Cocchiarella, Chairman (D)
Sen. Joe Balyeat (R)
Sen. Roy Brown (R)
Sen. John Esp (R)
Sen. Verdell Jackson (R)
Sen. Lane L. Larson (D)
Sen. Don Ryan (D)
Sen. Frank Smith (D)
Sen. Carolyn Squires (D)
Sen. Donald J. Steinbeisser (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: Claudia Johnson, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 333, 2/7/2007
Executive Action: HB 333, SB 254, SB 380, SB 276, SB 343, SB 355

00:02:58 Chairwoman Cocchiarella

HEARING ON HB 333

Opening Statement by Sponsor:

00:03:46 **REP. BILL MCCHESENEY (D), HD 40**, opened the hearing on **HB 333**, Parimutuel wagering for match bronc and wild horse races.

EXHIBIT(bus33a01)

Proponents:

00:05:41 Gary Mathews, Commissioner, Custer County

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:09:58 Sen. Esp to Rep. McChesney

00:10:36 Sen. Esp to Gary Mathews, Commissioner

00:13:10 Sen. Ryan to Gary Mathews, Commissioner

00:14:55 Sen. Tropila to Sen. Esp

00:15:22 Sen. Squires to Gary Mathews, Commissioner

00:17:19 Sen. Smith to Gary Mathews, Commissioner

Closing by Sponsor:

00:17:59 Rep. McChesney

EXECUTIVE ACTION ON HB 333

00:18:46 **Motion:** **SEN. SQUIRES** moved that **HB 333 BE CONCURRED IN.**

Discussion:

00:18:57 Sen. Larson

00:19:35 Sen. Steinbeisser

00:20:02 Sen. Tropila

00:20:15 **Vote:** Motion that HB 333 BE CONCURRED IN carried
unanimously by voice vote.

EXECUTIVE ACTION ON SB 254

Discussion:

00:21:19 Sen. Cocchiarella

00:22:55 Pat Murdo, LSD

EXHIBIT(bus33a02)

EXHIBIT(bus33a03)

00:24:41 **Motion:** SEN. SQUIRES moved that SB 254 DO PASS.

Discussion:

00:24:54 **Motion/Vote:** SEN. BROWN moved that AMENDMENT
SB025401.APM BE ADOPTED. Motion carried unanimously by
voice vote.

00:25:48 **Motion/Vote:** SEN. SQUIRES moved that AMENDMENT
SB0254.2.APM BE ADOPTED. Motion carried unanimously by
voice vote.

Discussion:

00:27:53 Sen. Esp

00:28:18 Sen. Cocchiarella to Melissa Case, MEA-MFT

00:29:26 **Motion/Vote:** SEN. SQUIRES moved that SB 254 DO PASS AS
AMENDED. Motion carried 6-5 by roll call vote with SEN.
BALYEAT, SEN. BROWN, SEN. ESP, SEN. JACKSON, and SEN.
STEINBEISSER voting no.

EXECUTIVE ACTION ON SB 380

Discussion:

00:31:49 Pat Murdo, LSD

EXHIBIT(bus33a04)

00:32:26 **Motion:** SEN. COCCHIARELLA moved that SB 380 DO PASS.

Discussion:

00:32:41 **Motion:** SEN. COCCHIARELLA moved that AMENDMENT
SB038001.APM BE ADOPTED.

Discussion:

00:34:19 Pat Murdo, LSD

00:36:36 Sen. Esp

00:36:57 Sen. Cocchiarella

00:37:26 Sen. Tropila to Sen. Cocchiarella

00:38:29 Sen. Squires to Sen. Cocchiarella

00:39:23 Sen. Balyeat

00:40:10 Sen. Jackson to Sen. Cocchiarella

00:40:50 Sen. Smith to Sen. Cocchiarella

00:41:57 Sen. Cocchiarella to Pat Murdo, LSD

00:42:27 Sen. Brown

00:42:50 Sen. Cocchiarella to Spook Stang, Montana Motor
Carriers' Association (MMCA)

00:44:26 Sen. Balyeat to Spook Stang, MMCA

00:45:36 Sen. Ryan to Spook Stang, MMCA

00:49:19 Sen. Cocchiarella to Spook Stang, MMCA

00:50:32 Sen. Esp to Sen. Cocchiarella

00:50:49 **Motion:** SEN. ESP moved to segregate AMENDMENT
SB038001.APM #13 BE ADOPTED.

Discussion:

00:51:22 **Motion:** SEN. COCCHIARELLA moved that a CONCEPTUAL
AMENDMENT to SB038001.APM #13 BE ADOPTED.

Discussion:

00:52:57 Sen. Smith

00:53:56 Sen. Esp

00:55:04 Sen. Brown

00:55:29 Sen. Squires

00:57:48 Sen. Tropila

00:58:55 **Motion/Vote:** SEN. BALLYEAT CALLED THE QUESTION ON
AMENDMENT SB038001.APM #13. Motion carried 7-4 by voice
vote with SEN. LARSON, SEN. RYAN, SEN. SQUIRES, and
SEN. TROPILA voting no.

00:59:18 **Motion:** SEN. SQUIRES moved that SB 380 DO PASS AS
AMENDED.

Discussion:

00:60:01 Sen. Larson

01:01:42 Sen. Esp

01:03:12 Sen. Ryan

01:05:33 Sen. Jackson

01:06:45 Sen. Squires

01:10:03 Sen. Esp

01:10:56 Sen. Ryan

01:12:21 Sen. Balyeat to Sen. Cocchiarella

01:13:50 Sen. Larson

01:14:36 Vote: Motion that SB 380 DO PASS AS AMENDED carried 6-5 by roll call vote with SEN. LARSON, SEN. RYAN, SEN. SMITH, SEN. SQUIRES, and SEN. TROPILA voting no.

EXECUTIVE ACTION ON SB 276

01:16:43 Motion: SEN. STEINBEISSER moved that SB 276 DO PASS.

Discussion:

01:16:57 Motion: SEN. STEINBEISSER moved that AMENDMENT SB027604.APM BE ADOPTED.

Discussion:

01:18:04 Pat Murdo, LSD

EXHIBIT (bus33a05)

01:19:19 Vote: Motion that AMENDMENT SB027604.APM BE ADOPTED carried unanimously by voice vote.

01:19:32 Motion/Vote: SEN. STEINBEISSER moved that AMENDMENT SB027602.APM BE ADOPTED. Motion carried unanimously by voice vote.

01:20:08 Motion: SEN. STEINBEISSER moved that SB 276 DO PASS AS AMENDED.

Discussion:

01:20:40 Motion/Vote: SEN. JACKSON CALLED THE QUESTION ON SB 276. Motion carried 8-3 by voice vote with SEN. COCCHIARELLA, SEN. ESP, and SEN. SQUIRES voting no.

EXECUTIVE ACTION ON SB 343

01:22:13 Motion: SEN. ESP moved that SB 343 DO PASS.

Discussion:

01:22:38 Pat Murdo, LSD

EXHIBIT (bus33a06)

01:22:56 **Motion:** SEN. ESP moved that AMENDMENT SB034302.APM BE ADOPTED.

Discussion:

01:27:47 Sen. Esp to Mary Arnold, State Auditor's Office (SAO)

01:28:55 Sen. Tropila to Mary Arnold, SAO

01:29:42 **Vote:** Motion that AMENDMENT SB034302.APM BE ADOPTED carried unanimously by voice vote.

01:29:49 **Motion:** SEN. ESP moved that SB 343 DO PASS AS AMENDED.

Discussion:

01:31:29 Sen. Balyeat

01:34:03 Sen. Cocchiarella

01:34:24 Sen. Esp

01:34:44 **Vote:** Motion that SB 343 DO PASS AS AMENDED failed 1-10 by voice vote with SEN. ESP voting aye.

01:35:18 **Motion/Vote:** SEN. ESP moved that SB 343 BE TABLED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 355

01:36:36 **Motion:** SEN. SQUIRES moved that SB 355 DO PASS.

Discussion:

01:37:17 **Motion:** SEN. SQUIRES moved that AMENDMENT SB035501.APM BE ADOPTED.

Discussion:

01:37:42 Pat Murdo, LSD

01:39:10 Sen. Cocchiarella to Don Gilbert, Department of Labor and Industry (DLI)

01:40:01 Sen. Squires to Sen. Cocchiarella

01:41:46 Sen. Ryan

01:42:39 **Vote:** Motion that AMENDMENT SB035501.APM BE ADOPTED carried unanimously by voice vote. SEN. JACKSON voted by proxy.

01:42:51 **Motion:** SEN. BALYEAT moved that AMENDMENT SB035502.APM BE ADOPTED.

Discussion:

01:44:10 Sen. Squires

01:45:30 Sen. Balyeat

01:47:15 Sen. Cocchiarella

01:47:49 Sen. Larson

01:48:15 Sen. Squires

01:48:40 Sen. Balyeat

01:49:22 Sen. Smith to Sen. Cocchiarella

01:50:30 **Substitute Motion:** SEN. ESP made a substitute motion that CONCEPTUAL AMENDMENT to SB 355 BE ADOPTED.

Discussion:

01:51:06 Sen. Balyeat

01:51:25 Sen. Squires

01:51:50 **Motion/Vote:** SEN. TROPILA called the QUESTION that the CONCEPTUAL AMENDMENT TO SB 355 BE ADOPTED. Motion carried 6-5 by roll call vote with SEN. LARSON, SEN. SMITH, SEN. STEINBEISSER, SEN. TROPILA and SEN. COCCHIARELLA voting no. SEN. JACKSON voted by proxy.

01:53:23 **Motion/Vote:** SEN. SQUIRES moved that SB 355 DO PASS AS AMENDED. Motion carried 6-5 by roll call vote with SEN. BALYEAT, SEN. BROWN, SEN. ESP, SEN. JACKSON, and SEN. STEINBEISSER voting no. SEN. JACKSON voted by proxy.

ADJOURNMENT

Adjournment: 11:00 A.M.

SEN. VICKI COCCHIARELLA, Chairman

CLAUDIA JOHNSON, Secretary

VC/cj

Additional Exhibits:

EXHIBIT ([bus33aad.pdf](#))